

REMARKS

Claims 1-6, 8-10, 12-18, 20, 22-24, 26, and 28 are pending.
Claims 1, 12, and 18 are in independent form.

Rejections under 35 U.S.C. § 101

In the action mailed July 25, 2007, claim 18 was rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter.

Although applicant disagrees with the basis of the rejection, to advance prosecution, claim 18 has been amended to more closely follow the language suggested by the Examiner. Please note that stylistic and other differences remain between the Examiner's suggested language and amended claim 18.

Nevertheless, applicant respectfully requests that the rejections of claim 18 and the claims dependent therefrom be withdrawn.

Rejections under 35 U.S.C. § 103

Independent claims 1, 12, and 18 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,868,086 to Putzolu et al. (hereinafter "Putzolu") and U.S. Patent No. 6,249,820 to Dobbins et al. (hereinafter "Dobbins").

As discussed in the response filed November 10, 2006, the present Application Serial No. 09/608,997 and Putzolu were, at the time the inventions of the present Application Serial No. 09/608,997 were made, commonly owned by or commonly subject to an obligation to assign to Intel Corporation. Under 35 U.S.C. § 103(c)(1), since Putzolu qualifies as prior art only under the provisions of 35 U.S.C. § 102(e), Putzolu cannot properly be relied upon to reject claims in the present application under 35 U.S.C. § 103(a). Accordingly, the rejections of claims 1, 12, 18, and the claims dependent therefrom cannot be maintained. Applicant thus requests that these rejections be withdrawn.

Rejections under 35 U.S.C. § 102

Claim 1 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,249,820 to Dobbins et al. (hereinafter "Dobbins").

Claim 1 relates to an apparatus that includes a first component configured to perform a route look-up to identify a proxy egress port by which a data packet is to leave the first component, to send an Address Resolution Protocol (ARP) request for a hardware address of an egress port by which the data packet is to leave a networking router architecture to reach the receiver, to receive a response to the ARP request that includes

the hardware address of the egress port, and to label the data packet with information identifying the hardware address of the egress port, a second component comprising the egress port and configured to receive the data packet, and an intermediate component bridging the first component and the second component and acting as a transparent bridge to forward the ARP request and the labeled data packet based on the hardware address of the egress port.

Dobbins neither describes nor suggests an intermediate component that bridges a first component and a second component and acts as a transparent bridge to forward an ARP request and a labeled data packet based on a hardware address of an egress port, as recited in claim 1. Instead, as discussed in the response filed May 9, 2007, Dobbins at least suggests that a central switching engine is used to forward his IP data packet. *See, e.g., Dobbins*, col. 11, line 59-67.

The rejection of claim 1 points to col. 11, line 40-45 of Dobbins as allegedly describing an intermediate component that acts as a transparent bridge to forwarding a labeled data packet based on a hardware address of an egress port, as recited.

Applicant respectfully disagrees. For the sake of convenience, the cited portion of Dobbins is now reproduced.

"Source host 201 on interface-1 wants to send an IP packet to destination host 202 on interface-2. Both hosts belong to the same work group subnet, but the IP packet cannot be sent directly because host 201 does not know the physical address of host 202. Host 201 therefore initiates an ARP Request attempting to resolve the IP address of host 202 to a physical address. This request is not received by host 202 because it is on a different physical network link. It is received by router 11 however, because ARP Requests are broadcast on a link." *See Dobbins*, col. 11, line 38-48.

While this section of Dobbins broadly deals with the sending of an IP packet to a destination host 202, it does not describe or suggest that an intermediate component acts as a transparent bridge in forwarding such an IP packet. Instead, this section provides details regarding preparatory activities before an IP packet is sent, namely, the initiation of an ARP Request by host 201 and the receipt of the ARP Request by a router 11.

Instead, the actual transmission of the IP packet is described in the section pointed to by Applicant, namely, col. 11, line 59-67. As described in this section, a destination host 202 that receives an ARP Request for its physical address, responds with an ARP Reply to router 11. The router receives the Reply and forwards it to ARP-FAS-2 208, stores the physical address in the ARP Cache 212, and passes the interface number and physical address to WG Cache 215. The WG Cache validates the information against user-configured entries in the Range

table 216 and sets the status (valid or invalid) for the destination host accordingly. Accordingly, Dobbins at least suggests that a central switching engine is used to forward his IP data packet.

It is well-established that anticipation requires a reference to show the recited subject matter "in as complete detail as is contained in the ... claim." *See, e.g., M.P.E.P.* §2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, (Fed. Cir. 1989)). In the present case, Dobbins not only fails to describe or suggest an intermediate component that acts as a transparent bridge to forwarding a labeled data packet based on a hardware address of an egress port, Dobbins at least suggests that a central switching engine is used.

Accordingly, claim 1 is not anticipated by Dobbins. Applicant respectfully requests that the rejections of claim 1 and the claims dependent therefrom be withdrawn.

Claim 12 was rejected under 35 U.S.C. § 102(e) as anticipated by Dobbins.

Claim 12 relates to a method that includes performing a lookup in a routing table to determine a proxy egress port by which data is to leave a component, sending a request for an address of an egress component by which the data is to leave a networking router architecture to reach a receiver, receiving a

reply to the request, the reply including the address of the egress component, labeling the data with the address to identify the egress component, and forwarding the data, based on the address, through an intermediate component acting as a transparent bridge to the egress component.

Dobbins neither describes nor suggests that labeled data which is to leave a component is forwarded through an intermediate component acting as a transparent bridge to an egress component, as recited in claim 12.

In this regard, as discussed above, Dobbins at least suggests that a central switching engine is used to forward his data packet. Dobbins thus not only fails to describe or suggest that labeled data which is to leave a component is forwarded through an intermediate component acting as a transparent bridge to an egress component, Dobbins at least suggests that a central switching engine is used to forward such labeled data.

Accordingly, claim 12 is not anticipated by Dobbins. Applicant respectfully requests that the rejections of claim 12 and the claims dependent therefrom be withdrawn.

Claim 18 was rejected under 35 U.S.C. § 102(e) as anticipated by Dobbins.

Claim 18 relates to an article that includes one or more machine-readable media. The one or more machine-readable media are encoded with machine-executable instructions. The machine-executable instructions are for causing one or more machines to perform a look up in a routing table to determine a proxy egress port by which data is to leave the one or more machines, send a request for a media access control (MAC) address of an egress component by which the data is to leave a networking router architecture to reach a receiver, receive a reply to the request, the reply including the MAC address of the egress component, label the data with the MAC address of the egress component, and forward the data, based on the MAC address, through an intermediate component acting as a transparent bridge to the egress component.

Dobbins neither describes nor suggests that labeled data which is to leave is forwarded through an intermediate component acting as a transparent bridge to an egress component, as recited in claim 18.

In this regard, as discussed above, Dobbins at least suggests that a central switching engine is used to forward his data packet. Dobbins thus not only fails to describe or suggest that labeled data which is to leave is forwarded through an intermediate component acting as a transparent bridge to an

egress component, Dobbins at least suggests that a central switching engine is used to forward such labeled data.


Accordingly, claim 18 is not anticipated by Dobbins. Applicant respectfully requests that the rejections of claim 18 and the claims dependent therefrom be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply
the one-month extension of time and any other charges or credits
to Deposit Account No. 06-1050.

Respectfully submitted,

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